



State of Wisconsin
Department of Health and Family Services

Jim Doyle, Governor
Helene Nelson, Secretary

Community Release Programs

Change to Base	FY 04		FY 05	
	GPR	All Funds	GPR	All Funds
Reestimate Community Release Programs caseload	\$1,337,200	\$1,337,200	\$2,675,500	\$2,675,500

Description of Proposal

- Funds the cost of the three community release programs administered by the Department: outpatient competency examinations, conditional release, and supervised release, based on projected caseloads.
- Ensure that the Department is responsible only for those outpatient competency examinations that are performed in locked facilities and not for exams for individuals out on bail.

Background

Outpatient Competency

- Competency-to-stand-trial examinations are performed by the Department on an inpatient or outpatient basis. Inpatient examinations are conducted by departmental staff in one of the Mental Health Institutes (MHIs). The Department currently contracts with a private provider to conduct outpatient competency examinations in a jail or locked unit of a facility. Between July 2002 and January 2003, 497 outpatient and 88 inpatient exams were performed.
- Caseload has increased in the outpatient competency program for several years. Courts are ordering competency evaluations more frequently.
- Competency examinations performed on an inpatient basis are very expensive. The person for whom the exam is ordered must be admitted to a Mental Health Institute for a two week period, at a cost in excess of \$500/day.
- To control costs, the Department increased the use of outpatient competency exams, which made it possible to meet the demand for examinations without increasing populations at the MHIs. Costs for the program continue to increase, however, because caseload is increasing.

Conditional Release

- The conditional release program provides treatment to individuals who have been found not guilty by reason of mental disease or defect and either directly placed on conditional release by the court or conditionally released from mental health institutions. There are currently 245 clients on conditional release.
- Caseload in the conditional release program is projected to increase by 4% in each year of the biennium.

Supervised Release

- The supervised release program provides treatment to individuals considered to be Sexually Violent Persons (SVPs) under ch. 980 and who the court has released from institutional care, but who remain under the supervision of the Department. There are currently 14 individuals on supervised release, with another 6 approved for release and awaiting placements.
- Supervised release caseloads are expected to increase from 16 in FY 03 to 32 in FY 04 and 47 in FY 05.
- In FY 04, a 10-bed transitional housing facility for SVPs is expected to open in Milwaukee. The facility was partially funded in the 2001-03 biennium.

Rationale for Proposal

- The Department has taken steps to reduce costs in these programs through a series of administrative efficiencies and will continue to implement cost-saving techniques in the 2003-05 biennium.

Outpatient Competency

- In the Outpatient Competency program, the Department plans to use staff from the MHIs to perform exams on an outpatient basis, as well as continuing to contract with a private provider for the exams. Staff can incorporate these duties into their current workload and it will not be necessary to increase the private providers contract.
- Statutory language changes will ensure that the Department is responsible only for those outpatient competency examinations that courts order the Department to perform and that occur in a jail or mental health facility. This will help limit caseload growth in the Outpatient Competency program.

Conditional Release

- The Department seeks to maximize the use of appropriate non-GPR funding sources. Currently 53% of the costs of the Conditional Release program are funded by third party payers, including Medicaid, SSI, private insurance, and client contributions.

Supervised Release

- Finding placements for sexual predators is often difficult and costly, because of community opposition. The Department, however, is required by statute and the Constitution to place SVPs on supervised release once a court has ordered that institutional care is no longer necessary for the individual.
- The Department now contracts with a private provider for residence search services for individuals on supervised release, which has resulted in several successful placements.
- Many SVPs are from Milwaukee, and it has been especially difficult to find placements there. The transitional housing facility, which will be fully operational in FY 05, will provide housing for SVPs from Milwaukee and allow them to live in a “transitional” living arrangement that provides them with a gradual re-entry into non-institutional life.